



AMENDMENT TRANSMITTAL LETTER			Docket No. 61683-00004USPT
Application No. 10/809761-Conf. #8658	Filing Date March 25, 2004	Examiner S. M. Mayer	Art Unit 1653

Applicant(s): Charles R. Stewart et al.

Invention: ANTIMICROBIAL PROTEINS FROM THE SPO1 BACTERIOPHAGE

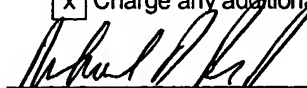
TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	10	- 20 =	0	x	
Independent Claims	3	- 4 =	0	x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					

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- ☒ Credit any overpayment.
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Michael D. Berger, Ph.D.
Attorney Reg. No.: 52,616

Dated: January 14, 2005

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 14, 2005

Signature:  (Susan B. Jensen)



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/809761-Conf. #8658
		Filing Date	March 25, 2004
		First Named Inventor	Charles R. Stewart
		Art Unit	1653
		Examiner Name	S. M. Mayer
Total Number of Pages in This Submission	6	Attorney Docket Number	61683-00004USPT

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Response to Restriction Req.	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard, Amendment Transmittal, and Transmittal
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION		
Signature			
Printed name	Michael D. Berger, Ph.D.		
Date	January 14, 2005	Reg. No.	52,616

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Dated: January 14, 2005

Signature:

Susan B. Jensen
(Susan B. Jensen)

1FW
Docket No.: 61683-00004USPT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Charles R. Stewart et al.

Application No.: 10/809761

Confirmation No.: 8658

Filed: March 25, 2004

Art Unit: 1653

For: ANTIMICROBIAL PROTEINS FROM THE
SPO1 BACTERIOPHAGE

Examiner: S. M. Mayer

RESPONSE TO RESTRICTION REQUIREMENT & AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement set forth in the Office Action mailed December 16, 2004, Applicants hereby elect Group V, claims 11-15 for continued examination. We provisionally elect species SEQ ID NO: 8 (GENE 44). Please see the remarks below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.